

EXHIBIT A

COACH, INC., ET AL v. YOUNES CORP., INC.

DEPOSITION OF HASAN YOUNES

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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

COACH, INC., and COACH SERVICES, INC.

Plaintiffs,

v

File No. 2:11-cv-11559-JAC-MAR

HON. JULIAN A. COOK, JR.

YOUNES CORPORATION, INC., d/b/a
Citgo Mini Mart, 13601 W. McNichols
Street, Detroit MI 48227,

and

HASAN Z. YOUNES,

and

Unknown Defendants 1-10 (JOHN DOES),

Defendants.

/

DEPOSITION OF HASAN YOUNES

Taken by the Plaintiffs on the 16th day of March, 2012 at
16030 Michigan Avenue, Suite 200, Dearborn, Michigan at
10:00 a.m.

APPEARANCES:

For the Plaintiffs:

MR. JACOB JOSEPH SADLER (P71829)
Warner Norcross & Judd, LLP
111 Lyon Street NW, Suite 900
Grand Rapids, Michigan 49503
(616) 752-2271

For the Defendants:

MR. SAMER M. FAKIH (P68876)
Fakih & Associates, PLLC
16030 Michigan Avenue, Suite 200
Dearborn, Michigan 48126
(313) 846-6300

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1 Q How old are you?

2 A 35.

3 Q And what is the highest level of education you have
4 completed?

5 A Bachelor's of science in mechanical engineering.

6 Q Where did you get that degree?

7 A The University of Michigan, Dearborn.

8 Q When did you graduate?

9 A 2001.

10 Q Are you currently employed as an engineer?

11 A Not at this present time, no.

12 Q Have you been an engineer in the past; been employed as an
13 engineer?

14 A Not since I finished college.

15 Q What kind of work did you go into after college?

16 A Insurance sales; car and home insurance.

17 Q And who did you work for?

18 A Jennifer Abbo.

19 Q Is she related to Peter Abbo?

20 A "Pete Abbo"?

21 MR. FAKIH: He's an attorney, I think, isn't he?

22 MR. SADLER: Yeah.

23 A Oh, he's any attorney? I don't know, no. I was thinking of
24 her brothers but, no.

25 Q How long did you sell insurance for Jennifer Abbo?

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1 A Up until 2007.

2 Q Why did you stop?

3 A To run my -- I opened a -- you know, started a business
4 running my dad's gas station.

5 Q So you are the owner of Younes Corporation; is that right?

6 A Yes.

7 Q You are the sole shareholder?

8 A Yes.

9 Q And you are the president and the secretary. You have all
10 of the -- you fill all of those offices; is that true?

11 A I'm not exactly sure. I just know I'm the only one on the
12 corporation papers.

13 Q Okay. So you said you stopped selling insurance to run your
14 dad's gas station. Is that the same gas station, the Citgo
15 station, that we've been talking about here today?

16 A Yes.

17 Q So it used to be owned by your dad and now it is owned by
18 you?

19 A No, the business operation is owned by me. But, you know,
20 he leased the business to other previous lessees before me.
21 The lease contract ended and then I took over when the lease
22 contract ended, so he is my landlord.

23 Q I see. Does your father have any role in running the
24 business of Younes Corp?

25 A No.

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1 Q Since you took over the gas station, has he worked at the
2 gas station?

3 A No.

4 Q When did you form Younes Corp?

5 A 2006 -- when was it? 2008? 2007, 2008, somewhere around
6 that lines.

7 Q Has the business of Younes Corp always been running the
8 Citgo gas station?

9 A Yes.

10 Q Has Younes Corp done any other business other than running
11 the Citgo gas station?

12 A No.

13 Q Do you know the name "Citiport"?

14 A "Citiport"?

15 Q Citiport, does that --

16 A No.

17 Q Since forming Younes Corp, have you personally done any
18 business other than running the gas station through Younes
19 Corporation?

20 A Any other business through Younes Corporation?

21 Q No, any other -- have you done any other business since
22 forming Younes Corporation, so since 2008, other than
23 running the gas station, you personally?

24 MR. FAKIH: Since 2008?

25 MR. SADLER: I thought that's when he said

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1 he started running the gas station.

2 MR. FAKIH: Oh, yeah. Okay.

3 A I do, you know, as an insurance agent. I'm partners on four
4 locations and I still am partners. So even though I stopped
5 selling car insurance, per se, myself, I was still an
6 investor and I would still manage the paperwork in those
7 businesses as well. But it wasn't through Younes
8 Corporation, it was a separate entity.

9 Q I understand. So you are an investor in other insurance
10 agencies; is that fair?

11 A Yes, yes.

12 Q And there are four of them?

13 A Yes.

14 Q Do you do any work -- since 2008 have you done any work for
15 those agencies?

16 A Since -- yeah.

17 Q Do you sell insurance?

18 A No.

19 Q What kind of work have you done for those agencies?

20 A I help my partner, maybe collect the paperwork for them,
21 count the money for them, enter them in the QuickBooks,
22 which is an accounting program. You know, we discuss who's
23 going to be working. We hire, we train, you know,
24 ownership, managerial duties.

25 Q Oh, okay. So you manage others in these partnerships or

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1 A Yeah, continuously on a regular basis, yes.

2 Q About how many hours a week have you worked there?

3 A You know, I just go in and check on things, make sure
4 everything's being ran right. I would say about 15 hours a
5 week. You know, if they need me, if someone calls off and I
6 would work the cashier maybe it would increase to 20, 30
7 hours a week. So, you know, between 10 and 30 hours a week.

8 Q And in this period of time, 2008 to the present, you've
9 heard Mr. and Mrs. Mallah talk about employees and they
10 mentioned themselves, they mentioned Amar. Do you know
11 Amar's last name?

12 A I do not.

13 Q And Mr. Baalbaki, is that someone you know?

14 A Yes.

15 Q Okay. And he was an employee of yours?

16 A Yes.

17 Q And then there was Wesam?

18 A Yes.

19 Q He was an employee of yours?

20 A Yes.

21 Q I assume he's related to you?

22 A Yes.

23 Q In what way?

24 A My brother.

25 Q Other than the Mallahs and the people I just mentioned, was

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1 there anyone else who worked for you at the gas station from
2 2008 to the present?

3 MR. FAKIH: To the best of your recollection.

4 A You know, there was always people training, you know, maybe
5 trying to qualify to get a job, maybe a few days to a week
6 and then it didn't work out so we just let them go. We
7 never put them on payroll. You know, we'd give them their
8 training fee -- you know, training work, pay of work, but
9 that's pretty much it. There's always, you know, people
10 coming and going, of that sort, but, you know, other than
11 continuous work those are the main people.

12 Q Okay. Could you tell me for all of these people what were
13 their positions with your company?

14 A Dania Mallah was my lottery girl and she helped with the
15 cleaning as well. Mohamed Mallah was a manager and
16 everybody else was a cashier.

17 Q Who was the manager before Mr. Mallah?

18 A There was none. There was just -- he was onboard ever since
19 we opened, you know, ever since we got it going.

20 Q All right. Mr. Mallah testified that he worked about 20
21 hours a week for you. Is that accurate?

22 A Yes.

23 Q How about Amar? About how many hours a week would he work
24 for you?

25 A The same thing, about 20 to 30.

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1 Q And Mohamed Baalbaki?

2 A Same thing, about 20, 30. You know, there's some weeks
3 where they could reach 40, but on the most part it was about
4 30.

5 Q Who made the schedules for employees of how many hours they
6 worked and when they're supposed to show up?

7 A I would.

8 Q Now, I understand that you -- that Younes Corp no longer has
9 an interest in the Citgo gas station?

10 A Correct.

11 Q And when did that stop?

12 A Beginning of the year, this year, we stopped. You know, it
13 took awhile to transfer everything to the new owners
14 because -- you know, for me to help them out and
15 transferring all like the -- all the vendors and loan -- you
16 know, loan information and when they're going to be
17 withdrawing the money and, you know, to go out to transfer
18 the lotto to his name. So I was there with a smooth
19 transition but nothing -- it didn't happen completely 'til
20 like last month, so the process started from like January to
21 February.

22 Q Okay. Does Younes Corp do any business now?

23 A No.

24 Q At the time that Younes Corp stopped doing business, was
25 Amar employed?

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1 Citgo?

2 A Sport hats, T-shirts, socks, maybe some scarves, winter
3 gloves.

4 Q All right. Who was responsible for determining what kind of
5 goods would be offered for sale at the service station?

6 A Mr. Mallah and I.

7 Q So you would jointly make those decisions?

8 A No, either him or I would take -- you know, either both of
9 us, him or myself. I mean, I would give him
10 responsibilities of that sort, and I would trust his opinion
11 and --

12 Q Did you know Mr. Mallah before he came to work for you at
13 the service station?

14 A Yes.

15 Q How did you know him?

16 A He married my sister.

17 Q Oh, I see; I see. So Mrs. Mallah was --

18 A Is my sister.

19 Q Is your sister, I understand. Tell me how -- Mr. Mallah
20 testified that there was no way to keep track of the sales
21 of some things, like candy and chips; is that true?

22 A That's true.

23 Q Was there a way to keep track of the sales of clothing?

24 A You know, when it comes to tracking things like that, it was
25 mostly important with the store sales in general. Okay?

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1 Q So you didn't start running a gas station until the middle
2 of 2009?

3 A Yes.

4 Q And what kind of -- what were you doing between leaving
5 Jennifer Abbo's employ in 2007 and beginning to run the gas
6 station in 2009?

7 A I trained my partner, who -- I trained my partner and acted
8 as a mentor to him and taught him all the managerial duties
9 of the insurance agencies because I knew that there would be
10 a time where he would take over the managerial duties.

11 Q So you were performing managerial functions related to the
12 insurance agencies that you're a partner in?

13 A Yes, yes.

14 Q All right. Now tell me the first time you remember seeing
15 handbags for sale at the gas station.

16 A I don't know exactly when the first time would have been.

17 Q Do you have any memory of it at all?

18 A It was near the end of -- it was around Christmastime in the
19 end of 2010.

20 Q Okay. Did you have any reaction to seeing handbags
21 available for sale at the store?

22 A No.

23 Q When you first saw them in December of -- what year did you
24 say? --

25 A 2010.

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1 Q -- 2010, did you have a conversation with Mr. Mallah about
2 them?

3 A No.

4 Q Did you inspect the bags at all? Did you look at them?

5 A No.

6 Q Today, do you recall what they -- do you recall anything
7 specific about the appearance of the bags?

8 A Just in general terms. They were like different sizes,
9 different colors, you know, of that sort, and that's pretty
10 much it.

11 Q Do you recall who manufactured any of the bags?

12 A No.

13 Q Do you know who designed any of the bags?

14 A No.

15 Q Do you recall how many bags were displayed for sale at any
16 given time?

17 A I really don't. No, I never took account of that.

18 Q Do you recall seeing a box full of bags in the office at
19 Younes Corp?

20 A It wasn't full. It was like maybe a quarter to half full.
21 Yeah, there was a box in the office.

22 Q Did you personally sell any handbags to consumers?

23 A Never, no.

24 Q Did you have any discussions with consumers about the bags?

25 A No.

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1 Q Before learning about this lawsuit did you have any
2 discussion with anyone about the bags?

3 A No.

4 Q Tell me how you first learned about this lawsuit.

5 A I picked up the mail from the gas station. I was on the
6 run. And then when I went home I opened up my mail and
7 noticed that I was being served.

8 Q Is this the first lawsuit you've ever been involved in as a
9 defendant?

10 A No, there was one other time. There was one other time
11 during the -- for the insurance purposes. I was a
12 representative of Premier Insurance. There was a claim and
13 I submitted the application on time. He's saying I didn't
14 submit it on time.

15 Q So it was an insurance-coverage dispute?

16 A Yeah, yeah, exactly. You know, the company that insured him
17 at the time wanted me to put it on my E&O insurance and I
18 had to go in and represent that and, you know, that's the
19 only time.

20 Q Okay. What was your reaction to finding those service
21 papers?

22 A I mean, I was, you know, very disappointed, very irrate.

23 Q What did you do upon receiving them?

24 A Called the business and asked for -- you know, talked to
25 Mohamed Mallah. I told him, "I'm being sued because of

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1 those bags. Take them off, put them in the back, and I'll
2 talk" -- you know, "I'll talk to you later about it."

3 Q What did he say in response?

4 A He goes, "Okay."

5 Q When was the next time you went to the gas station after
6 that conversation?

7 A You know, I don't exactly remember. I mean, it can be
8 anywhere between three to -- you know, within a week or
9 so -- I mean, between three days and one week.

10 Q Okay. In that period of time, did you have any other
11 conversations with Mr. Mallah?

12 A No.

13 Q Did you have any other conversations about the bags with
14 anybody?

15 A No. I'm not sure if I called my lawyer at the time. I'm
16 not sure when I called him, you know, if it was, you know,
17 immediately or did I wait a few days. You know, I'm not
18 sure. I don't remember.

19 Q Okay. Tell me about the next time you went to the gas
20 station after having the conversation with Mr. Mallah about
21 the bags.

22 A Yeah, I went to the gas station, you know, my usual self
23 going to work, and the one thing that was on the top of my
24 mind was looking at the bags, you know, seeing what's going
25 on with them. They weren't there. I asked him, "Where are

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1 they?" He said he returned them and got his money back
2 because he told me that's what the guy told him, "If they
3 don't sell, I'll give him back his money." Well, you know,
4 that made me furious. You know, I wanted to see the bags,
5 see what's going on, and that was that.

6 Q What else happened that day?

7 A I was very angry and I told him to go home and I'll give him
8 a call if I ever do need him. I would let him know what's
9 going on. You know, I let him go.

10 Q You told him to "Go home"?

11 A "Go home," at this time, yeah.

12 Q Did you have a discussion with your sister about why you
13 fired her husband?

14 A No.

15 Q She never asked?

16 A No.

17 (Counsel reviews documents)

18 Q Do you have any personal knowledge of how many bags were
19 sold?

20 A I really don't.

21 Q Do you have any personal knowledge of how many were Coach
22 bags, or purported to be Coach bags?

23 A No.

24 MR. SADLER: Let's go off the record for a second.
25 I need to look through my files.

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1 (Off the record)

2 Q Can you tell me where -- in what bank account were the
3 profits from the gas station deposited?

4 A The gas station profits? In my personal account.

5 Q Did Younes Corporation have a -- well, strike that. You
6 said there's never been any other -- there have never been
7 any other shareholders of Younes besides yourself?

8 A No.

9 Q And have there ever been any meetings of the board of
10 directors?

11 A No.

12 Q What other profits -- or sorry. Did money from any other --
13 any source other than the gas station -- could money from
14 any source other than the gas station be deposited into your
15 personal account?

16 A Yes.

17 Q Where would that money come from?

18 A Premier Insurance.

19 Q I'm sorry. That's the first time we've mentioned that
20 company by name. What is that?

21 A The insurance agencies. That's the name of the insurance
22 agencies that I, you know, partly own.

23 Q Okay. Just tell me briefly about Premier Insurance. Is
24 that a partnership or a --

25 A A corporation.

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